
OLR Bill Analysis

SB 908

AN ACT CONCERNING THE USE OF CRIMINAL CONVICTION INFORMATION.

SUMMARY:

The law prohibits an employer (including its agent, representative, or designee) from denying employment to a prospective employee, or discharging or discriminating against a current employee, solely because the employee (1) had certain arrests, criminal charges, or convictions with legally erased records or (2) received a provisional pardon from the Board of Pardons and Paroles. This bill allows prospective and current employees to bring a civil suit against an employer that violates, or aids in the violation of, this law. It makes the employer liable for damages, attorney's fees, and costs. Existing law, unchanged by the bill, allows the Department of Labor to levy a \$300 civil penalty for violations.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Erased Records and Employee Protection

The law protecting employees with erased records covers an employee whose police and court records were erased because the employee was (1) convicted as a child delinquent, adjudicated as a member of a family with service needs, and subsequently discharged from supervision under certain conditions; (2) adjudicated a youthful offender and subsequently discharged from supervision under certain conditions; or (3) found not guilty, had charges nolleed or dismissed, or received an absolute pardon (CGS § 31-51i).

The Board of Pardons and Paroles can issue a provisional pardon to an eligible offender to relieve him or her of certain barriers to employment or obtaining a credential (such as an occupational license)

resulting from a criminal conviction. It does not erase the conviction record or relieve related disclosure requirements.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 7 Nay 4 (03/12/2013)